

## Section 5: Appeals, Court of Court of Appeals

The purpose of this appropriation is for this court to review and exercise appellate and certiorari jurisdiction pursuant to the Constitution of the State of Georgia, Art. VI, Section V, Para. III, in all cases not reserved to the Supreme Court of Georgia or conferred on other courts by law.

			Program Overview	
Performance Measures:	FY 2011	FY 2012	FY 2013	FY 2014
Average caseload per judge for cases filed	276	289	286	262
Revenue from Appellate Court fees	\$429,869.05	\$439,921.35	\$456,421.40	\$422,386.20
Appellate filings	3,312	3,464	3,432	3,146

**Summary of Activities:** The Court of Appeals is the intermediate appellate court in Georgia and is the court of first review for many civil and criminal cases decided in the trial courts. The purpose of such a review is to correct legal errors or errors of law made at the trial level, not to alter jury verdicts or the outcome of bench trials. The Court of Appeals has twelve judges who are assigned to one of four panels made up of three judges each.

**Target Population:** The Court of Appeals has statewide appellate jurisdiction of all appeals from the major levels of the trial courts except those involving constitutional questions, land title disputes, the construction of wills, murder, election contests, habeas corpus, extraordinary remedies, divorce and alimony and cases where original appellate jurisdiction lies with the Supreme Court of Georgia.

**Location:** The Court of Appeals is located in Atlanta, GA.

**Delivery Mechanism:** Once a case is assigned to a panel, the judges review the trial transcript, relevant portions of the record, and briefs submitted by the attorneys for the parties. Panels also hear oral arguments in a small number of cases. Panel decisions are final unless one judge dissents. Then the case is reviewed by a panel of seven judges. Under certain circumstances, a case may be reviewed by the full court.

**Timing:** The Court is open to the public for business all state business days and the Court issues orders and opinions daily. The Court of Appeals has three terms each year: January, April, and September. Each term lasts approximately three and a half months. Decision must be completed within two terms.

	Continuation Budget	
TOTAL STATE FUNDS	\$15,035,519	\$15,035,519
State General Funds	\$15,035,519	\$15,035,519
TOTAL AGENCY FUNDS	\$150,000	\$150,000
Sales and Services	\$150,000	\$150,000
Sales and Services Not Itemized	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$15,185,519	\$15,185,519

<b>14.1</b> Increase funds for personnel for one vacant full-time central staff attorney position.		
State General Funds	\$37,297	\$0
<b>14.2</b> Increase funds for personnel for one vacant full-time fiscal office position.		
State General Funds	\$17,043	\$0
<b>14.3</b> Increase funds for information technology to provide for increased costs of software maintenance for the docket system.		
State General Funds	\$6,750	\$6,750
<b>14.4</b> Increase funds for trial court records maintenance.		
State General Funds	\$10,000	\$0
<b>14.5</b> Increase funds for six hours of continued legal education training for staff attorneys.		
State General Funds	\$10,000	\$0

14.100 Court of Appeals	Appropriation (HB 75)	
<i>The purpose of this appropriation is for this court to review and exercise appellate and certiorari jurisdiction pursuant to the Constitution of the State of Georgia, Art. VI, Section V, Para. III, in all cases not reserved to the Supreme Court of Georgia or conferred on other courts by law.</i>		
TOTAL STATE FUNDS	\$15,116,609	\$15,042,269
State General Funds	\$15,116,609	\$15,042,269
TOTAL AGENCY FUNDS	\$150,000	\$150,000
Sales and Services	\$150,000	\$150,000
Sales and Services Not Itemized	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$15,266,609	\$15,192,269

## Section 6: Judicial Council

### Accountability Courts

The purpose of this appropriation is to support adult felony drug courts, DUI courts, juvenile drug courts, family dependency treatment courts, and mental health courts, as well as the Judicial Council Accountability Court Committee. No state funds shall be provided to any accountability court where such court is delinquent in the required reporting and remittance of all fines and fees collected by such court.

**Program Overview**

**Summary of Activities:** The Accountability Courts program is responsible for developing and monitoring accountability court standards and performance measures, identifying risk and needs assessment tools, and creating a certification and peer review process to document compliance with standards. The Judicial Council Accountability Courts Committee advises the Judicial Council on the abovementioned responsibilities for the state drug courts, mental health courts, DUI courts, juvenile drug courts, and family dependency treatment courts. This appropriation covers the Accountability Courts Committee support staff within the Administrative Office of the Courts (AOC).

**Target Population:** Offenders who have a significant substance abuse or mental health issues are placed into these approximately two-year programs run by judges in order to provide an alternative sentencing option.

**Noteworthy:** As of FY2013, the Criminal Justice Coordinating Council (CJCC) has the funding for and responsibility of awarding grants to all state accountability courts.

**Continuation Budget**

TOTAL STATE FUNDS	\$438,057	\$438,057
State General Funds	\$438,057	\$438,057
TOTAL PUBLIC FUNDS	\$438,057	\$438,057

**15.100 Accountability Courts**

**Appropriation (HB 75)**

*The purpose of this appropriation is to support adult felony drug courts, DUI courts, juvenile drug courts, family dependency treatment courts, and mental health courts, as well as the Judicial Council Accountability Court Committee. No state funds shall be provided to any accountability court where such court is delinquent in the required reporting and remittance of all fines and fees collected by such court.*

TOTAL STATE FUNDS	\$438,057	\$438,057
State General Funds	\$438,057	\$438,057
TOTAL PUBLIC FUNDS	\$438,057	\$438,057

**Georgia Office of Dispute Resolution**

*The purpose of this appropriation is to oversee the state's court-connected alternative dispute resolution (ADR) services by promoting the establishment of new ADR court programs, providing support to existing programs, establishing and enforcing qualifications and ethical standards, registering ADR professionals and volunteers, providing training, administering statewide grants, and collecting statistical data to monitor program effectiveness.*

**Program Overview**

**Summary of Activities:** The Office of Dispute Resolution (ODR) supports the Commission on Dispute Resolution, which oversees the development of the court-connected ADR programs. ODR includes the Neutral Ethics Regulation, Neutral Registration, Neutral Training and Trainer Qualifications, ADR Education, Research and Statistical Data Collection, and Local ADR Program Assistance through training, technical assistance, and grants.

**Target Population:** All parties involved in the ADR process, including lawyers, neutrals, and the general public seeking information.

**Timing:** All neutrals working in court ADR programs are required to register with ODR every year.

**Noteworthy:** The Office of Dispute Resolution became self-sufficient in FY2012 and no longer receives state funding.

**Continuation Budget**

TOTAL STATE FUNDS	\$0	\$0
State General Funds	\$0	\$0
TOTAL AGENCY FUNDS	\$172,890	\$172,890
Sales and Services	\$172,890	\$172,890
Collection/Administrative Fees	\$172,890	\$172,890
TOTAL PUBLIC FUNDS	\$172,890	\$172,890

**16.100 Georgia Office of Dispute Resolution**

**Appropriation (HB 75)**

*The purpose of this appropriation is to oversee the state's court-connected alternative dispute resolution (ADR) services by promoting the establishment of new ADR court programs, providing support to existing programs, establishing and enforcing qualifications and ethical standards, registering ADR professionals and volunteers, providing training, administering statewide grants, and collecting statistical data to monitor program effectiveness.*

TOTAL AGENCY FUNDS	\$172,890	\$172,890
Sales and Services	\$172,890	\$172,890
Collection/Administrative Fees	\$172,890	\$172,890
TOTAL PUBLIC FUNDS	\$172,890	\$172,890

**Institute of Continuing Judicial Education**

*The purpose of this appropriation is to provide basic training and continuing education for Superior Court Judges, Juvenile Court Judges, State Court Judges, Probate Court Judges, Magistrate Court Judges, Municipal Court Judges, Superior Court Clerks, Juvenile Court Clerks, Municipal Court Clerks, and other court personnel.*

**Program Overview**

**Summary of Activities:** The Institute of Continuing Judicial Education (ICJE) is responsible for the basic orientation and ongoing education of the judges and court personnel of the State Court System. Services provided include the courses of Mandatory Continuing Judicial Education (MCJE) accreditation for judges and clerks in every class-of-court, pre-approval of courses and individual certification of required Court Reporter Continuing Education, voluntary training and instructional activities for court support personnel and lay citizen agents serving the State Courts. Lastly, this program includes the staffing and operational support for the ICJE Board of Trustees together with statutorily designated class-of-court Training Councils, as well as respective educational planning committees.

**Target Population:** The current and recently appointed judges, clerks of court, court support personnel, law clerks, court administrators, and court volunteers within the courts in Georgia.

	<b>Continuation Budget</b>	
TOTAL STATE FUNDS	\$471,789	\$471,789
State General Funds	\$471,789	\$471,789
TOTAL AGENCY FUNDS	\$703,203	\$703,203
Sales and Services	\$703,203	\$703,203
Training Fees	\$703,203	\$703,203
TOTAL PUBLIC FUNDS	\$1,174,992	\$1,174,992

**17.100 Institute of Continuing Judicial Education**

**Appropriation (HB 75)**

*The purpose of this appropriation is to provide basic training and continuing education for Superior Court Judges, Juvenile Court Judges, State Court Judges, Probate Court Judges, Magistrate Court Judges, Municipal Court Judges, Superior Court Clerks, Juvenile Court Clerks, Municipal Court Clerks, and other court personnel.*

TOTAL STATE FUNDS	\$471,789	\$471,789
State General Funds	\$471,789	\$471,789
TOTAL AGENCY FUNDS	\$703,203	\$703,203
Sales and Services	\$703,203	\$703,203
Training Fees	\$703,203	\$703,203
TOTAL PUBLIC FUNDS	\$1,174,992	\$1,174,992

**Judicial Council**

*The purpose of this appropriation is to support the Administrative Office of the Courts; to support accountability courts and the Judicial Council Accountability Court Committee; to provide administrative support for the councils of the Magistrate Court Judges, the Municipal Court Judges, the Probate Court Judges, and the State Court Judges; to operate the Child Support E-Filing system, the Child Support Guidelines Commission, the Commission on Interpreters, the County and Municipal Probation Advisory Council, the Georgia Commission on Family Violence, and the Children and Family Courts division; and to support the Committee on Justice for Children.*

**Program Overview**

**Summary of Activities:** The 25-member Judicial Council develops policies for improving and administering the Georgia Courts. The Chief Justice of the Supreme Court of Georgia serves as chair of the Council; membership, as established by Order of the Supreme Court, consists of judges from each level of court: appellate, superior, state, juvenile, probate, magistrate and municipal. The Council oversees the work of the Administrative Office of the Courts through established oversight committees: Standing Committee on Policy, Committee on Court Reporting Matters, Committee on Accountability Courts, Judicial Workload Assessment Committee, and Records Retention Committee. In addition to the subprograms listed in the Judicial Council purpose statement, the program also includes the Board of Court Reporting, the Supreme Court Committee on Civil Justice which piloted the Appalachian Family Law Information Center, the Supreme Court Committee on Justice for Children, the Georgia Council of Court Administrators, the Georgia Alliance for Drug Endangered Children, the Supreme Court Committee on Access and Fairness in the Courts, the Georgia Courts Automation Commission, Legal Services for Victims of Domestic Violence, and the Law School Consortium.

**Fund Sources:** The Child Support Collaborative Project receives federal funds, renewable yearly, which are used to create an ongoing collaborative association between the judiciary and the child support services agency to address child support issues. The funding is a 66/34% match.

	<b>Continuation Budget</b>	
TOTAL STATE FUNDS	\$11,223,561	\$11,223,561
State General Funds	\$11,223,561	\$11,223,561
TOTAL FEDERAL FUNDS	\$2,552,935	\$2,552,935
Child Support Enforcement Title IV-D CFDA93.563	\$749,055	\$749,055
State and Community Highway Safety CFDA20.600	\$49,611	\$49,611
State Court Improvement Program CFDA93.586	\$883,172	\$883,172
Substance Abuse & Mental Health Service Projects CFDA93.243	\$811,065	\$811,065
Violence Against Women Formula Grants CFDA16.588	\$60,032	\$60,032
TOTAL AGENCY FUNDS	\$268,905	\$268,905
Sales and Services	\$268,905	\$268,905
Collection/Administrative Fees	\$120,000	\$120,000
Drug Courts Conference Fees	\$86,000	\$86,000
Probate Court Judges Fees	\$15,000	\$15,000

Sales and Services Not Itemized	\$47,905	\$47,905
TOTAL PUBLIC FUNDS	\$14,045,401	\$14,045,401

**18.1** Increase funds to reflect the adjustment in the employer share of the Judicial Retirement System for the Council of State Court Judges.

State General Funds	\$117,265	\$117,265
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**18.2** Increase funds for personnel for three new compliance monitor positions and operations to effectively and efficiently register and regulate misdemeanor probation providers.

State General Funds	\$88,217	\$88,217
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**18.100 Judicial Council** **Appropriation (HB 75)**

*The purpose of this appropriation is to support the Administrative Office of the Courts; to support accountability courts and the Judicial Council Accountability Court Committee; to provide administrative support for the councils of the Magistrate Court Judges, the Municipal Court Judges, the Probate Court Judges, and the State Court Judges; to operate the Child Support E-Filing system, the Child Support Guidelines Commission, the Commission on Interpreters, the County and Municipal Probation Advisory Council, the Georgia Commission on Family Violence, and the Children and Family Courts division; and to support the Committee on Justice for Children.*

<b>TOTAL STATE FUNDS</b>	\$11,429,043	\$11,429,043
State General Funds	\$11,429,043	\$11,429,043
<b>TOTAL FEDERAL FUNDS</b>	\$2,552,935	\$2,552,935
Child Support Enforcement Title IV-D CFDA93.563	\$749,055	\$749,055
State and Community Highway Safety CFDA20.600	\$49,611	\$49,611
State Court Improvement Program CFDA93.586	\$883,172	\$883,172
Substance Abuse & Mental Health Service Projects CFDA93.243	\$811,065	\$811,065
Violence Against Women Formula Grants CFDA16.588	\$60,032	\$60,032
<b>TOTAL AGENCY FUNDS</b>	\$268,905	\$268,905
Sales and Services	\$268,905	\$268,905
Collection/Administrative Fees	\$120,000	\$120,000
Drug Courts Conference Fees	\$86,000	\$86,000
Probate Court Judges Fees	\$15,000	\$15,000
Sales and Services Not Itemized	\$47,905	\$47,905
<b>TOTAL PUBLIC FUNDS</b>	\$14,250,883	\$14,250,883

**Judicial Qualifications Commission**

*The purpose of this appropriation is to investigate complaints filed against a judicial officer, impose and recommend disciplinary sanctions against any judicial officer, and when necessary, file formal charges against that officer and provide a formal trial or hearing. The purpose of this appropriation is also to produce formal and informal advisory opinions; provide training and guidance to judicial candidates regarding the Code of Judicial Conduct; and investigate allegations of unethical campaign practices.*

**Program Overview**

**Summary of Activities:** The Judicial Qualifications Commission (JQC) program provides education and counseling to judges on the interpretation and application of the Code of Judicial Conduct, renders formal and informal advisory opinions concerning the proper interpretation of the Georgia Code of Judicial Conduct, and accepts and investigates complaints of any judicial misconduct, incapacity, or impairment of a judicial officer.

**Target Population:** All judges in Georgia.

**Location:** The JQC office is located in Madison, GA.

**Delivery Mechanism:** The JQC is staffed by two full-time staff members. In the FY2013 General budget, a full-time investigative attorney was funded, but has not been hired yet.

**Noteworthy:** The number of complaints received by JQC has significantly increased in the past few years.

**Continuation Budget**

TOTAL STATE FUNDS	\$527,706	\$527,706
State General Funds	\$527,706	\$527,706
TOTAL PUBLIC FUNDS	\$527,706	\$527,706

**19.100 Judicial Qualifications Commission** **Appropriation (HB 75)**

*The purpose of this appropriation is to investigate complaints filed against a judicial officer, impose and recommend disciplinary sanctions against any judicial officer, and when necessary, file formal charges against that officer and provide a formal trial or hearing. The purpose of this appropriation is also to produce formal and informal advisory opinions; provide training and guidance to judicial candidates regarding the Code of Judicial Conduct; and investigate allegations of unethical campaign practices.*

<b>TOTAL STATE FUNDS</b>	\$527,706	\$527,706
State General Funds	\$527,706	\$527,706
<b>TOTAL PUBLIC FUNDS</b>	\$527,706	\$527,706

**Resource Center**

*The purpose of this appropriation is to provide direct representation to death penalty sentenced inmates and to recruit and assist private attorneys to represent plaintiffs in habeas corpus proceedings.*

**Program Overview**

**Summary of Activities:** The Resource Center provides direct representation in capital habeas corpus proceedings. The Resource Center ensures that death-sentenced inmates are competently represented in state and federal post-conviction habeas corpus proceedings.

**Delivery Mechanism:** Habeas corpus appeals are civil proceedings in which the petitioner may challenge the constitutionality of his or her conviction and/or sentence in both state and federal court. The Resource Center provides direct representation to death-sentenced habeas petitioners and recruits and assists private attorneys who volunteer their time to represent the petitioners pro bono.

**Noteworthy:** The Resource Center is no longer receiving funds from the Georgia Bar Foundation due to the decrease in Interest on Lawyers Trust Accounts (IOLTA) funds available to the Foundation.

	<b>Continuation Budget</b>	
TOTAL STATE FUNDS	\$800,000	\$800,000
State General Funds	\$800,000	\$800,000
TOTAL PUBLIC FUNDS	\$800,000	\$800,000

**20.100 Resource Center**

**Appropriation (HB 75)**

*The purpose of this appropriation is to provide direct representation to death penalty sentenced inmates and to recruit and assist private attorneys to represent plaintiffs in habeas corpus proceedings.*

TOTAL STATE FUNDS	\$800,000	\$800,000
State General Funds	\$800,000	\$800,000
TOTAL PUBLIC FUNDS	\$800,000	\$800,000

**Section 7: Juvenile Courts**

**Council of Juvenile Court Judges**

*The purpose of this appropriation is for the Council of Juvenile Court Judges to represent all the juvenile judges in Georgia. Jurisdiction in cases involving children includes delinquencies, status offenses, and deprivation.*

**Program Overview**

**Summary of Activities:** The Council of Juvenile Court Judges is the supporting staff for the Juvenile Court Judges and provides judicial education, technical assistance, and answers to legal questions for the judges.

**Delivery Mechanism:** The program is over 84 percent personnel who provide support services for the judges.

**Fund Sources:** The program includes the Grants to Counties for Alternative to Incarceration, which is a pass-through grant from the Governor's Office for Children and Families.

	<b>Continuation Budget</b>	
TOTAL STATE FUNDS	\$1,493,806	\$1,493,806
State General Funds	\$1,493,806	\$1,493,806
TOTAL FEDERAL FUNDS	\$447,456	\$447,456
Juvenile Accountability Incentive Block Grants CFDA16.523	\$447,456	\$447,456
TOTAL PUBLIC FUNDS	\$1,941,262	\$1,941,262

**21.1 Increase funds to reflect the adjustment in the employer share of the Employees' Retirement System.**

State General Funds	\$27,639	\$27,639
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**21.100 Council of Juvenile Court Judges**

**Appropriation (HB 75)**

*The purpose of this appropriation is for the Council of Juvenile Court Judges to represent all the juvenile judges in Georgia. Jurisdiction in cases involving children includes delinquencies, status offenses, and deprivation.*

TOTAL STATE FUNDS	\$1,521,445	\$1,521,445
State General Funds	\$1,521,445	\$1,521,445
TOTAL FEDERAL FUNDS	\$447,456	\$447,456
Juvenile Accountability Incentive Block Grants CFDA16.523	\$447,456	\$447,456
TOTAL PUBLIC FUNDS	\$1,968,901	\$1,968,901

**Grants to Counties for Juvenile Court Judges**

*The purpose of this appropriation is for payment of state funds to circuits to pay for juvenile court judges salaries.*

**Program Overview**

**Summary of Activities:** This program is for the payment of the salaries and retirement for the juvenile court judges that work in the juvenile courts across the state. The salaries are given in grant form to the counties in order to pay the judges.

**Location:** There is a juvenile court in each of the state's 159 counties. There are 147 judges (funding is for full and part time juvenile judges only.)

**Fund Sources:** The judges salaries are set in Georgia statute. (O.C.G.A. 15-11-18)

	<b>Continuation Budget</b>	
TOTAL STATE FUNDS	\$5,535,458	\$5,535,458
State General Funds	\$5,535,458	\$5,535,458
TOTAL PUBLIC FUNDS	\$5,535,458	\$5,535,458

**22.1**    *Increase funds for Grants to Counties for Juvenile Court Judges pursuant to O.C.G.A. 15-11-52 effective January 1, 2015.*

State General Funds	\$10,625	\$10,625
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**22.2**    *Increase funds to reflect an adjustment in the employer share of the Judicial Retirement System.*

State General Funds	\$158,284	\$158,284
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<b>22.100 Grants to Counties for Juvenile Court Judges</b>	<b>Appropriation (HB 75)</b>
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*The purpose of this appropriation is for payment of state funds to circuits to pay for juvenile court judges salaries.*

TOTAL STATE FUNDS	\$5,704,367	\$5,704,367
State General Funds	\$5,704,367	\$5,704,367
TOTAL PUBLIC FUNDS	\$5,704,367	\$5,704,367

## Section 9: Superior Courts

### Council of Superior Court Judges

*The purpose of this appropriation is for the operations of the Council of Superior Court Judges and is to further the improvement of the Superior Court in the administration of justice through leadership, training, policy development and budgetary and fiscal administration.*

**Program Overview**

**Summary of Activities:** The Council of Superior Court Judges (CSCJ) provides centralized payroll, accounting, travel reimbursements, personnel management, budget management, legal support for court rules, jury instructions, and death penalty habeas cases, and logistics for judge training.

**Delivery Mechanism:** The CSCJ office has 11 staff that provide support to 205 superior court judges, 73 senior judges, 205 secretaries, and 61 law clerks or court administrators.

	<b>Continuation Budget</b>	
TOTAL STATE FUNDS	\$1,353,844	\$1,353,844
State General Funds	\$1,353,844	\$1,353,844
TOTAL AGENCY FUNDS	\$35,000	\$35,000
Sales and Services	\$35,000	\$35,000
Sales and Services Not Itemized	\$35,000	\$35,000
TOTAL PUBLIC FUNDS	\$1,388,844	\$1,388,844

<b>26.100 Council of Superior Court Judges</b>	<b>Appropriation (HB 75)</b>
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*The purpose of this appropriation is for the operations of the Council of Superior Court Judges and is to further the improvement of the Superior Court in the administration of justice through leadership, training, policy development and budgetary and fiscal administration.*

TOTAL STATE FUNDS	\$1,353,844	\$1,353,844
State General Funds	\$1,353,844	\$1,353,844
TOTAL AGENCY FUNDS	\$35,000	\$35,000
Sales and Services	\$35,000	\$35,000
Sales and Services Not Itemized	\$35,000	\$35,000
TOTAL PUBLIC FUNDS	\$1,388,844	\$1,388,844

### Judicial Administrative Districts

*The purpose of this appropriation is to provide regional administrative support to the judges of the superior court. This support includes managing budgets, policy, procedure, and providing a liaison between local and state courts.*

**Program Overview**

**Summary of Activities:** Georgia is divided into ten Judicial Administrative Districts (JADs) that each has one District Court Administrator (DCA) and one secretary who assist the superior court judges within their district.

**Delivery Mechanism:** The DCAs and their secretaries assist the 205 judges and 205 secretaries with daily issues, such as local budget presentations or grant submissions, equipment purchasing and IT support, training coordination, logistical management of jurors in high profile or death penalty cases, or serving as a liaison with other local courts in the district.

	<b>Continuation Budget</b>	
TOTAL STATE FUNDS	\$2,500,166	\$2,500,166
State General Funds	\$2,500,166	\$2,500,166
TOTAL AGENCY FUNDS	\$87,000	\$87,000
Intergovernmental Transfers	\$87,000	\$87,000
Authority/Local Government Payments to State Agencies	\$87,000	\$87,000
TOTAL PUBLIC FUNDS	\$2,587,166	\$2,587,166

**27.1** *Increase funds for personnel to restore three furlough days remaining in the base budget.*

State General Funds	\$18,051	\$0
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**27.2** *Increase funds for operations to restore a portion of operating expenses that have been reduced in prior years as a result of budget reductions.*

State General Funds	\$50,000	\$0
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**27.100 Judicial Administrative Districts**

**Appropriation (HB 75)**

*The purpose of this appropriation is to provide regional administrative support to the judges of the superior court. This support includes managing budgets, policy, procedure, and providing a liaison between local and state courts.*

TOTAL STATE FUNDS	\$2,568,217	\$2,500,166
State General Funds	\$2,568,217	\$2,500,166
TOTAL AGENCY FUNDS	\$87,000	\$87,000
Intergovernmental Transfers	\$87,000	\$87,000
Authority/Local Government Payments to State Agencies	\$87,000	\$87,000
TOTAL PUBLIC FUNDS	\$2,655,217	\$2,587,166

**Superior Court Judges**

*The purpose of this appropriation is to enable Georgia's Superior Courts to be the general jurisdiction trial court and exercise exclusive, constitutional authority over felony cases, divorce, equity and cases regarding title to land, provided that law clerks over the fifty provided by law are to be allocated back to the circuits by caseload ranks.*

**Program Overview**

**Summary of Activities:** The Superior Court Judges program contains the salaries for the 207 superior court judges and the statutory court personnel. Funds within the program also make payments for unemployment insurance, emeritus retirement program, court reporter stipends, judge travel expenses, county reimbursement for habeas filing fees, usage fees for PeopleSoft accounting system and other payments to state agencies as required by law. Lastly, this program includes funding for Senior Judges, emergency equipment needs, and legal research software fees.

**Fund Sources:** The salaries for superior court judges are set in Georgia statute.

	<b>Continuation Budget</b>	
TOTAL STATE FUNDS	\$61,055,137	\$61,055,137
State General Funds	\$61,055,137	\$61,055,137
TOTAL AGENCY FUNDS	\$15,000	\$15,000
Sales and Services	\$15,000	\$15,000
Sales and Services Not Itemized	\$15,000	\$15,000
TOTAL PUBLIC FUNDS	\$61,070,137	\$61,070,137

**28.1** *Increase funds for personnel to restore one and a half furlough days remaining in the base budget.*

State General Funds	\$84,279	\$0
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**28.2** *Eliminate funds for the initial equipment set-up for the Chattahoochee and Oconee judgeships created in HB451 (2013 Session).*

State General Funds	(\$30,250)	(\$30,250)
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**28.100 Superior Court Judges**

**Appropriation (HB 75)**

*The purpose of this appropriation is to enable Georgia's Superior Courts to be the general jurisdiction trial court and exercise exclusive, constitutional authority over felony cases, divorce, equity and cases regarding title to land, provided that law clerks over the fifty provided by law are to be allocated back to the circuits by caseload ranks.*

TOTAL STATE FUNDS	\$61,109,166	\$61,024,887
State General Funds	\$61,109,166	\$61,024,887
TOTAL AGENCY FUNDS	\$15,000	\$15,000

Sales and Services	\$15,000	\$15,000
Sales and Services Not Itemized	\$15,000	\$15,000
<b>TOTAL PUBLIC FUNDS</b>	<b>\$61,124,166</b>	<b>\$61,039,887</b>

## Section 10: Supreme Court

### Supreme Court of Georgia

The purpose of this appropriation is to support the Supreme Court of Georgia which exercises exclusive appellate jurisdiction in all cases involving: the construction of a treaty, the Constitution of the State of Georgia or of the United States, the constitutionality of a law, ordinance, or constitutional provision that has been drawn in question, and all cases of election contest per Ga. Const. Art. VI, Section VI, Para. II. The purpose of this appropriation is also to support the Supreme Court of Georgia in its exercise of jurisdiction in cases per Ga. Const. Art. VI, Section VI, Para. III and its administration of the Bar Exam and oversight of the Office of Reporter of Decisions.

#### Program Overview

**Summary of Activities:** The Supreme Court is the state's highest court and is responsible for reviewing decisions made by other courts in civil and criminal cases. The Supreme Court rules on questions involving the constitutionality of state statutes, all criminal cases involving a sentence of death, and petitions from decisions of the Court of Appeals.

**Delivery Mechanism:** Each case accepted for review by the Supreme Court is assigned to one of the seven justices for preparation of a preliminary opinion for circulation to all other justices. The justices review trial transcripts, case records and the accompanying legal briefs prepared by attorneys. An opinion is adopted or rejected by the Court after discussion by all the justices in conference.

**Timing:** Opinions are published an average of twice a month.

#### Continuation Budget

TOTAL STATE FUNDS	\$10,248,025	\$10,248,025
State General Funds	\$10,248,025	\$10,248,025
TOTAL AGENCY FUNDS	\$1,859,823	\$1,859,823
Sales and Services	\$1,859,823	\$1,859,823
Bar Applicant Fitness Board Fees	\$1,200,376	\$1,200,376
Bar Exam Administration per OCGA15-19-2	\$659,447	\$659,447
<b>TOTAL PUBLIC FUNDS</b>	<b>\$12,107,848</b>	<b>\$12,107,848</b>

**29.1** Increase funds to be paid to the Department of Public Safety for a trooper to provide security.

State General Funds	\$33,219	\$33,219
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**29.2** Increase funds for contracts to annualize additional yearly costs for WestLaw research contract fees.

State General Funds	\$1,440	\$1,440
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**29.3** Increase funds for contracts to annualize additional yearly costs of TriVir e-filing and maintenance.

State General Funds	\$6,000	\$6,000
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**29.4** Increase funds for information technology to annualize additional yearly costs for a new network.

State General Funds	\$31,000	\$31,000
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**29.5** Increase funds for contracts to annualize additional yearly costs for the Reporters' Office - LexisNexis publication.

State General Funds	\$1,665	\$1,665
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### 29.100 Supreme Court of Georgia

#### Appropriation (HB 75)

The purpose of this appropriation is to support the Supreme Court of Georgia which exercises exclusive appellate jurisdiction in all cases involving: the construction of a treaty, the Constitution of the State of Georgia or of the United States, the constitutionality of a law, ordinance, or constitutional provision that has been drawn in question, and all cases of election contest per Ga. Const. Art. VI, Section VI, Para. II. The purpose of this appropriation is also to support the Supreme Court of Georgia in its exercise of jurisdiction in cases per Ga. Const. Art. VI, Section VI, Para. III and its administration of the Bar Exam and oversight of the Office of Reporter of Decisions.

<b>TOTAL STATE FUNDS</b>	<b>\$10,321,349</b>	<b>\$10,321,349</b>
State General Funds	\$10,321,349	\$10,321,349
<b>TOTAL AGENCY FUNDS</b>	<b>\$1,859,823</b>	<b>\$1,859,823</b>
Sales and Services	\$1,859,823	\$1,859,823
Bar Applicant Fitness Board Fees	\$1,200,376	\$1,200,376
Bar Exam Administration per OCGA15-19-2	\$659,447	\$659,447
<b>TOTAL PUBLIC FUNDS</b>	<b>\$12,181,172</b>	<b>\$12,181,172</b>

## Section 32: Law, Department of

**Law, Department of**

*The purpose of this appropriation is to serve as the attorney and legal advisor for all state agencies, departments, authorities, and the Governor; to provide binding opinions on legal questions concerning the state of Georgia and its agencies; and to prepare all contracts and agreements regarding any matter in which the state of Georgia is involved.*

**Program Overview**

**Summary of Activities:** The Department of Law program includes all personnel and operations involved in the Attorney General meeting the Constitutional obligations as the attorney and legal advisor for Georgia. The Attorney General represents the State of Georgia in all capital felony appeals before the Supreme Court of Georgia, in all civil cases before any court, and in all cases appearing before the Supreme Court of the United States. The Attorney General also prosecutes public corruption cases, conducts special investigations, and initiates civil or criminal actions on behalf of the State of Georgia.

**Delivery Mechanism:** The Department of Law is organized by five legal divisions (Regulated Industries and Professions, Commercial Transactions and Litigation, Criminal Justice Division, General Litigation Division, and Government Services and Employment Division) and an Operations Division to provide administrative support to all legal divisions.

**Fund Sources:** The Department of Law collects revenue from DOAS insured billing, which makes up approximately 22 percent of the Department's funding.

	<b>Continuation Budget</b>	
TOTAL STATE FUNDS	\$19,958,526	\$19,958,526
State General Funds	\$19,958,526	\$19,958,526
TOTAL AGENCY FUNDS	\$269,940	\$269,940
Sales and Services	\$269,940	\$269,940
Collection/Administrative Fees	\$268,940	\$268,940
Sales and Services Not Itemized	\$1,000	\$1,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$36,317,074	\$36,317,074
State Funds Transfers	\$36,317,074	\$36,317,074
Legal Services - Client Reimbursable per OCGA45-15-4	\$34,350,000	\$34,350,000
Legal Services - Dept. of Administrative Services Cases	\$1,967,074	\$1,967,074
TOTAL PUBLIC FUNDS	\$56,545,540	\$56,545,540

**220.100 Law, Department of**

**Appropriation (HB 75)**

*The purpose of this appropriation is to serve as the attorney and legal advisor for all state agencies, departments, authorities, and the Governor; to provide binding opinions on legal questions concerning the state of Georgia and its agencies; and to prepare all contracts and agreements regarding any matter in which the state of Georgia is involved.*

TOTAL STATE FUNDS	\$19,958,526	\$19,958,526
State General Funds	\$19,958,526	\$19,958,526
TOTAL AGENCY FUNDS	\$269,940	\$269,940
Sales and Services	\$269,940	\$269,940
Collection/Administrative Fees	\$268,940	\$268,940
Sales and Services Not Itemized	\$1,000	\$1,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$36,317,074	\$36,317,074
State Funds Transfers	\$36,317,074	\$36,317,074
Legal Services - Client Reimbursable per OCGA45-15-4	\$34,350,000	\$34,350,000
Legal Services - Dept. of Administrative Services Cases	\$1,967,074	\$1,967,074
TOTAL PUBLIC FUNDS	\$56,545,540	\$56,545,540

**Medicaid Fraud Control Unit**

*The purpose of this appropriation is to serve as the center for the identification, arrest, and prosecution of providers of health services and patients who defraud the Medicaid Program.*

**Program Overview**

**Summary of Activities:** The Medicaid Fraud Control Unit (MFCU) program is responsible for investigation and prosecution of fraudulent or illegal acts in connection with any aspect of the provision of medical assistance or health care services funded through joint federal-state programs, or the recovery of federal and state health care funds gained through fraudulent, abusive or illegal acts by healthcare providers and others. This includes investigating complaints of abuse or neglect of patients in facilities that receive Medicaid funds.

**Target Population:** All providers, facilities, and patients that receive Medicaid funds.

**Fund Sources:** MFCU has a federal funds match that is 25/75. Currently, the federal funds are not being matched at the full amount with state funds, resulting in the program losing out on available federal dollars. The state is required to operate an effective MFCU in order to receive full federal participation in the funding of the Medicaid program.

	<b>Continuation Budget</b>	
TOTAL STATE FUNDS	\$1,283,836	\$1,283,836
State General Funds	\$1,283,836	\$1,283,836
TOTAL FEDERAL FUNDS	\$3,597,990	\$3,597,990
State Medicaid Fraud Control Units CFDA93.775	\$3,597,990	\$3,597,990
TOTAL AGENCY FUNDS	\$2,111	\$2,111

Sales and Services	\$2,111	\$2,111
Sales and Services Not Itemized	\$2,111	\$2,111
<b>TOTAL PUBLIC FUNDS</b>	<b>\$4,883,937</b>	<b>\$4,883,937</b>

**221.100 Medicaid Fraud Control Unit**

**Appropriation (HB 75)**

*The purpose of this appropriation is to serve as the center for the identification, arrest, and prosecution of providers of health services and patients who defraud the Medicaid Program.*

<b>TOTAL STATE FUNDS</b>	\$1,283,836	\$1,283,836
<b>State General Funds</b>	\$1,283,836	\$1,283,836
<b>TOTAL FEDERAL FUNDS</b>	\$3,597,990	\$3,597,990
<b>State Medicaid Fraud Control Units CFDA93.775</b>	\$3,597,990	\$3,597,990
<b>TOTAL AGENCY FUNDS</b>	\$2,111	\$2,111
<b>Sales and Services</b>	\$2,111	\$2,111
<b>Sales and Services Not Itemized</b>	\$2,111	\$2,111
<b>TOTAL PUBLIC FUNDS</b>	<b>\$4,883,937</b>	<b>\$4,883,937</b>

**Section 36: Public Defender Standards Council, Georgia**

**Public Defender Standards Council**

*The purpose of this appropriation is to fund the Office of the Georgia Capital Defender, Office of the Mental Health Advocate, and Central Office.*

**Program Overview**

<b>Performance Measures:</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
Percentage of clients contacted at least once per month	N/A	99.30%	93.40%	94.00%
Mental health cases per attorney	N/A	N/A	N/A	89
Capital cases per attorney	N/A	N/A	N/A	6

**Summary of Activities:** Within the Georgia Capital Defender division (O.C.G.A. 17-12-12), this program is responsible for the direct and co-counsel representation, assistance, and resources in death penalty cases and appeals. This program also includes the Office of the Mental Health Advocate (O.C.G.A. 17-12-11), which provides services to attorneys representing criminal defendants with mental health challenges, as well as direct representation for NGRI (not guilty by reason of insanity) and IST (incompetent to stand trial) cases. Lastly, the program includes the Central Office, which is the administrative support for the statewide public defender system.

**Target Population:** This program specifically focuses on those criminal defendants in need of a public defender who are involved in death penalty cases or who have mental health issues.

**Fund Sources:** The program receives funds from interest earned on the Clerks and Sheriffs Trust Accounts.

**Noteworthy:** The interest revenue from the Clerks and Sheriffs Trust Accounts is projected to be approximately \$145,000 in FY13, which has been slowly decreasing from \$1.5 in FY08.

**Continuation Budget**

<b>TOTAL STATE FUNDS</b>	\$6,564,859	\$6,564,859
<b>State General Funds</b>	\$6,564,859	\$6,564,859
<b>TOTAL AGENCY FUNDS</b>	\$340,000	\$340,000
<b>Interest and Investment Income</b>	\$340,000	\$340,000
<b>Clerk's and Sheriff's Trust Accounts</b>	\$340,000	\$340,000
<b>TOTAL PUBLIC FUNDS</b>	<b>\$6,904,859</b>	<b>\$6,904,859</b>

**237.1** Increase funds for one-time funding for the replacement of aging computer equipment no longer supported by Microsoft.

State General Funds	\$284,562	\$284,562
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**237.2** Transfer funds from the Governor's Emergency Fund program to the Public Defender Standards Council program for contracts for capital conflict cases.

State General Funds	\$375,000	\$375,000
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**237.100 Public Defender Standards Council**

**Appropriation (HB 75)**

*The purpose of this appropriation is to fund the Office of the Georgia Capital Defender, Office of the Mental Health Advocate, and Central Office.*

<b>TOTAL STATE FUNDS</b>	\$7,224,421	\$7,224,421
<b>State General Funds</b>	\$7,224,421	\$7,224,421
<b>TOTAL AGENCY FUNDS</b>	\$340,000	\$340,000
<b>Interest and Investment Income</b>	\$340,000	\$340,000
<b>Clerk's and Sheriff's Trust Accounts</b>	\$340,000	\$340,000
<b>TOTAL PUBLIC FUNDS</b>	<b>\$7,564,421</b>	<b>\$7,564,421</b>

**Public Defenders**

*The purpose of this appropriation is to assure that adequate and effective legal representation is provided, independently of political considerations or private interests, to indigent persons who are entitled to representation under this chapter; provided that staffing for circuits are based on O.C.G.A. 17-12.*

**Program Overview**

**Summary of Activities:** This program includes the Circuit Offices (43 opt-in circuits and 6 opt-out circuits), the Appellate Division, and the Office of the Conflict Defender, which is responsible for assuring that legal representation is provided where a conflict of interest exists with the local public defender office.

**Target Population:** Indigent clients who are charged in criminal cases.

**Location:** There are 49 Circuit Public Defender Offices located on a local level across the state, as well as six regional conflict offices to help with conflict cases.

**Delivery Mechanism:** The staffing in each circuit office is based on statute. Each circuit has one public defender per superior court judge, one investigator per circuit, and two administrative assistants per circuit.

**Continuation Budget**

TOTAL STATE FUNDS	\$36,107,805	\$36,107,805
State General Funds	\$36,107,805	\$36,107,805
TOTAL PUBLIC FUNDS	\$36,107,805	\$36,107,805

**238.1** *Transfer funds from the Governor's Emergency Fund program to the Public Defenders program for contracts for conflict cases.*

State General Funds	\$3,625,000	\$3,625,000
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**238.100 Public Defenders**

**Appropriation (HB 75)**

*The purpose of this appropriation is to assure that adequate and effective legal representation is provided, independently of political considerations or private interests, to indigent persons who are entitled to representation under this chapter; provided that staffing for circuits are based on O.C.G.A. 17-12.*

TOTAL STATE FUNDS	\$39,732,805	\$39,732,805
State General Funds	\$39,732,805	\$39,732,805
TOTAL PUBLIC FUNDS	\$39,732,805	\$39,732,805